

**CITY COUNCIL MEETING MINUTES  
TUESDAY, AUGUST 19, 2008  
CITY HALL  
22710 E COUNTRY VISTA DRIVE  
7:00 P.M.**

**INVOCATION**

Given by Council Member Crump

**PLEDGE OF ALLEGIANCE**

Led by Mayor Van Orman, City Council and Staff

**CALL TO ORDER**

Mayor Van Orman called the meeting to order at 7:02 p.m.

**ROLL CALL**

Council Member Jenkins  
Mayor Pro Tem Sayrs  
Council Member Owens (absent)  
Council Member Crump  
Council Member Schuler  
Council Member Olander  
Council Member Langford

Doug Smith, Director, Community Dev.  
Ann Swenson, Executive Assistant  
Brian Asmus, Chief of Police  
Sean Boutz, City Attorney

**AGENDA APPROVAL**

Council Member Crump moved to excuse Council Member Owens, seconded by Council Member Olander. Mayor Van Orman called for the vote. In favor: Unanimous; Opposed: None.

Doug Smith, Community Development Director, pointed out that Mr. Jim Armstrong, Communications and Special Projects Manager for Spokane County, was not in attendance this evening to conduct his presentation, and asked that this item be removed from the agenda.

Council Member Olander moved to approve the Agenda as amended, seconded by Council Member Jenkins. Mayor Van Orman called for the vote. Motion Approved. In Favor: Unanimous; Opposed: None.

## **APPROVAL OF CITY COUNCIL MINUTES**

Council Member Crump moved to accept the City Council Meeting Minutes from August 5, 2008, seconded by Council Member Schuler. Mayor Van Orman called for the vote. Motion Accepted. In Favor: Council Member Crump, Council Member Schuler, Mayor Pro Tem Sayrs, Council Member Olander, and Council Member Langford; Abstained: Council Member Jenkins.

## **CITIZEN COMMENTS**

None

## **MAYOR AND CITY COUNCIL REPORTS**

Council Member Crump reported that the Finance Committee had met and discussed vouchers, salary levels, overtime, coverage for City events, federal grants, the City's financial audit, and ethics. Mayor Pro Tem indicated that the Committee agreed to send an ethics ordinance to workshop for discussion at the next City Council meeting.

Council Member Jenkins then reported that the Public Safety Committee had met and reviewed proposals regarding animal control and legislation as well as the 2009 budget for the new public safety/library building.

Mayor Van Orman reported that the closing for the public safety/library building took place on August 6<sup>th</sup>. A walk-through has been arranged with Bernado & Willis to address the specifications needed for the building and the improvements for the upcoming bids for construction. The Mayor noted that after the closing of the property, she went to Leavenworth to attend the AWC's Budget Academy workshop in preparation for the 2009 budget.

In an effort to address service needs within the community, the Mayor reported that she and Troy Mullenix, Recreation Coordinator, were able to look at some recreational opportunities, and that Liberty Lake is now able to offer open swim. The Liberty Lake Athletic Club will host the open swim from 3:30-5:30 p.m. at a cost of \$5.00 for non-residents and \$4.00 for Liberty Lake residents.

The Mayor also noted that the Planning Commission had met on August 13<sup>th</sup> and that a public hearing regarding the SAP from the River District is scheduled for 6:00 p.m. August 27<sup>th</sup>. The park survey results will also be provided during that meeting.

On August 14<sup>th</sup>, Mayor Pro Tem Sayrs & Mayor Van Orman attended the third Regional Water Management Dialogue and took a tour of the Upriver Dam Water Works Project. Regional officials are developing a draft for public awareness and education on water conservation, and an interlocal agreement is anticipated the future. Currently, the City of Liberty Lake averages \$6,000 per month for water expenditure. Mayor Van Orman believes we can curve this expenditure and

implement water conservation within our own City, and asked if the Community Development Committee would be willing to investigate conservation options. Council Member Jenkins, a Community Development Committee member, thinks this is a reasonable request, and asked for staff resources to help research cost analysis and alternatives.

The Mayor reported that the Harvard Road clean up began today. Department of Ecology crews are onsite to conduct a reclamation project for the Spokane River, with completion of the project expected at the end of September. An improved boat launch, new fencing and fresh materials to replace the current toxic materials in the soil will be implemented as part of the cleanup effort.

Mayor Van Orman announced that the City's entrance audit for 2007 began this morning and that it's anticipated to last six weeks at a cost of approximately \$13,000. The Mayor also said that she met with Jon Delonas from the Valley HUB today. Mr. Delonas advised that there is a roller derby this weekend and a national Judo competition next weekend, and that Liberty Lake has a very good chance to host world championships for Judo in 2010 if all goes well.

#### **INTRODUCTION OF ADMINISTRATION RECEPTIONIST**

Mayor Van Orman then introduced Michelle Griffin, the City's new Administrative Receptionist. Michelle has lived in the area for two years. She has extensive municipality experience, and worked for the City of Corvallis, Oregon for 12 years.

#### **PARKS / RECREATION STAFF CERTIFICATIONS OF APPRECIATION**

On behalf of the City of Liberty Lake, Troy Mullenix acknowledged the hard work that the day camp counselors and recreation intern staff have done this year. Participation in day camp this year nearly doubled from last year, with over 75 registrations in 2008, compared to roughly 44 in 2007.

The Mayor then presented a Certificate of Appreciation to Rebecca Freeman, lead counselor, for her hard work during this year's summer day camp program. Due to a schedule conflict, the other lead counselor, Erin Smith, was not available to receive her Certificate of Appreciation.

Ms. Freeman thanked the Mayor, and then provided the City Council a brief description of some of the day camp events that took place this summer.

#### **ACTION ITEMS**

Council Member Crump moved to accept the Consent Agenda in the amount of \$75,794.67, seconded by Council Member Jenkins. There being no further discussion, Mayor Van Orman called for the vote. Motion Accepted. In Favor: Unanimous; Opposed: None.

Check sequence were: 10028 through 10095

Change Order #1 for Rocky Hill Park Phase 1

Council Member Crump moved to accept the Change Order No. 1 for Rocky Hill Park Phase 1, seconded by Mayor Pro Tem Sayrs.

Doug Smith, Community Development Director, reported that this change was anticipated because the original design was not included in the original contract documents. The change represents the street improvement on frontage.

Mr. Smith clarified that funding for the change order is available through either the Street Fund or the Capital Street Fund revenue source; a separate fund from the revenue source used to purchase the new building.

Mayor Van Orman then called for the vote. Motion accepted. In Favor: Unanimous; Opposed: None.

**ORDINANCE – SECOND READING**

*Ordinance No. 165-A – An Ordinance Amending Ordinance 165 Passed by the City Council on December 18, 2007, Entitled "An Ordinance of the City of Liberty Lake, Washington, Amending Appropriations to the Adopted Annual Budget for the Period January 1, 2008 Through December 31, 2008, Appropriating Funds, and Establishing Salary Schedules for Established Positions."*

Council Member Crump moved to adopt Ordinance No. 165-A, seconded by Mayor Pro Tem Sayrs.

Doug Smith indicated that we are getting squared away with our fund balances for 2008, including salary schedules to reflect the organizational changes made under the new administration and with the law enforcement grant funds received.

Council Member Olander asked for an explanation of the table of salaries. Mr. Smith explained that since the beginning of 2008, four new positions, including: Administrative Services Manager, Planning and Building Services Manager, City Administrator and Records Clerk have been in place and functioning under the new administration. He noted that there were no salary changes for these positions as part of the budget amendment, and that there is actually a cost savings to the City equivalent to \$30,000, compared to the 2008 adopted budget.

Mayor Pro Tem Sayrs then brought to the Council's attention the change to Exhibit C. The reason for the change was to split the City Administrator/Community Development Director position into two separate positions, rather than one, because it was noted that there is no job description for a City Administrator/Community Development Director combined position.

Discussions then began regarding the amendment. Councilman Jenkins suggested that this ordinance makes a significant shift in the administration of the City, moving away from a Strong Mayor to more of a City Manager-type role with mayoral involvement, similar to Spokane Valley. He then reflected back on the City's history, the need for a City Manager during incorporation, the move away from a City Manager to a department-head administration, and the difference in their governance. Councilman Jenkins felt the department-head administration provided a broader level of transparency. He reiterated that he struggles with significant change in administration because, "it is not clear to me how the Mayor and City Manager function in concert with each other; whose role is what, who do you go to identify accountability on different issues," and he questioned why the current role of government doesn't work.

Mayor Van Orman discussed the difference between a City Manager and City Administrator and how the role of City Administrator coincides with a part-time strong mayor.

The conversation then ranged from the need for a Financial Director, the amount of time the Mayor is available to be at City Hall, the need for someone who is available to oversee day-to-day City operations on a full-time basis, the history of the City's administration, representative government, and why Mayor Van Orman would like a City Administrator.

Council Member Schuler stated that she would like the record to reflect that in regard to the current level of replacement in staff, she would like to see a Financial Director included as part of the City staff.

Council Member Langford indicated that he would like to see job descriptions for the new positions, a list of desired qualifications, individuals who the Mayor will place in those positions, an explanation as to why these positions are not open for competitive bid, and how this amendment will impact the 2009-2010 Budget. The Mayor agreed to provide the requested information to City Council.

Council Member Crump said that adding job duties and scope of work to Councilman Langford's request would also be helpful to the City Council in order to provide information as to what the positions are and what they do.

Council Member Olander commented that he would support a strong mayor with the three department heads (financial, police, and community development) and no City Administrator if the Mayor was a full-time position, receiving full-time compensation. He noted that the Mayor's position is a part-time position, and that it is important for someone to be available to our citizens 40 hours a week at City Hall.

Mayor Pro Tem Sayrs acknowledged that the consensus was that more information and more time were needed to discuss this topic, and moved to table action for this item until the next City Council meeting, seconded by Council Member Crump.

Council Member Crump noted that the ordinance incorporated two different parts; budget amendments and salary schedules, and questioned whether tabling this item would affect the timeline for the law enforcement grant funding. The Mayor specified that the timeline starts in September, and that law enforcement funding would not be affected.

Discussions then reverted to previous conversations regarding City management, and Council Member Crump asked for legal clarification regarding what a strong mayor can do as far as requesting this form of executive branch. Sean Boutz, the City's legal counsel, indicated that although state statutes exist that govern various executive formats, leeway is provided within those statutes to allow the City Council to use its discretion to determine how it would like to operate as a City, while allowing the Mayor authority to make hiring decisions.

Council Member Langford said he had done some research through MRSC and discovered that a position must be vacant first in order to fill it, and noted no position for City Administrator had been established as vacated. Council Member Langford then asked the Mayor for clarification as to what she wants and if it is her intent to change the make up of the City. Mayor Van Orman confirmed that she would like to see City operations similar to how they were in 2001, with a City Administrator to oversee the day-to-day operations as well as to attend meetings to represent the City during her absence or unavailability.

Mayor Van Orman called for the vote. Motion failed. In favor: Mayor Pro Tem Sayrs, Council Member Olander and Council Member Crump; Opposed: Council Member Schuler, Council Member Jenkins, and Council Member Langford.

Council Member Langford then called for the question to end the discussion. Mayor Van Orman called for the vote. In favor: Council Member Schuler, Council Member Jenkins, and Council Member Langford; Opposed: Mayor Pro Tem, Council Member Olander and Council Member Crump. Motion failed and discussion continued.

After further discussion regarding receipt of job descriptions, the purpose for a City Administrator, and separating the ordinance into two parts, Council Member Olander moved to approve 165A, removing Section 2, renumbering Section 3, and amending the title, seconded by Council Member Crump.

Council Member Crump then made a friendly amendment to the ordinance beginning with the first "whereas" to strike the words "and to modify salary schedules and titles as funded in the 2008 budget to accurately recognize organizational changes" and to match the title for that.

Discussions then arose as to whether the Mayor would like to present a philosophical discussion with additional information for a new ordinance since this motion extracts the portion regarding the establishment of salary schedules for established positions.

Mayor Van Orman then called for the vote. Motion failed. In Favor: Council Member Crump, Mayor Pro Tem Sayrs, and Council Member Olander; Opposed: Council Member Schuler, Council Member Jenkins, and Council Member Langford.

Chief Asmus discussed how he has worked for several City Administrators in different cities and is familiar with that role. He acknowledged that Doug Smith has been fulfilling those duties for Liberty Lake during the past seven months. Chief Asmus said he has witnessed how Mr. Smith has been going above and beyond his current duties as Community Development Director, taking on responsibilities of a City Administrator, and supports him for this position.

Council Member Schuler then moved to approve Ordinance No. 165-A as presented for amendment. Mayor Van Orman called for the vote. In Favor: Council Member Olander, Mayor Pro Tem Sayrs, and Council Member Crump; Opposed: Council Member Schuler, Council Member Jenkins, and Council Member Langford. Ordinance failed.

## **WORKSHOP DISCUSSIONS**

### Animal Control

Chief Asmus gave an update regarding animal control, the cost to the City, and the possibility of contracting with SCRAPS in 2009. He informed the Council that he and Nancy Hill, Director of SCRAPS, had met to discuss the County possibly taking over the City's animal control. Chief Asmus proposed that the City move toward contracting with Spokane County in 2009 for animal control and pet licensing, and he asked the Council to authorize moving forward to begin putting together an interlocal agreement for 2009. A agreement will be drafted and presented to the City Council for any additional changes.

### City Logo

Doug Smith shared the history of the City logo, which originated in 2001. The trademark for the logo is about to expire and the question is whether the City Council wants to continue with the trademark protection that we currently have for the logo. Sean Boutz explained that the trademark reinstatement would be valid for 10 years and would be exclusive only for City use. Council Member Olander said the current logo is too colorful and he would prefer to see a single-graphic logo. Council Member Langford agreed.

### Legal Services

Legal Services are currently up for renewal. Doug Smith handed out a matrix, requested by Councilmember Owens, that shows comparisons for billable time for legal services from 2007 and 2008. He pointed out that the newly proposed rate for legal services is \$4,000, compared to the current rate of \$3,400. Since there was no objection from the Council to retain Mr. Boutz for legal services, Mr.

Smith will proceed with drafting a contract for legal services for the City Council's consideration.

## UNFINISHED / NEW BUSINESS

The Mayor reminded the City Council that the City will be celebrating its 7<sup>th</sup> anniversary on August 30<sup>th</sup> in conjunction with the Spokane Symphony and invited them to come and hand out cake.

Council Member Jenkins said that he has been receiving comments regarding our sign ordinance and the need for relief. He mentioned that local RV dealerships are struggling to stay afloat in the economy and asked what can we do to help. Mr. Smith replied that this would require an amendment to the existing development code and a full philosophical conversation will need to take place regarding an amendment. He pointed out that establishment of the ordinance resulted from the City's Comprehensive Plan and that we are limited by it until the new cycle for the comprehensive plan opens up in July, 2009. Mayor Van Orman stated that wayfaring sign discussion will be taking place in January.


## CITIZEN COMMENTS


None.

## ADJOURNMENT

Upon motion, the Meeting adjourned at 9:25 p.m.

These Minutes are approved this 2<sup>nd</sup> day of September, 2008.

  
Wendy Van Orman, Mayor  
City of Liberty Lake

  
*Notes and Transcription by Ann Swenson, Executive Assistant. This Council Meeting was audio taped. Anyone desiring to listen to the recording may contact the City Clerk.*